

MAR 15 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Property Concepts, Inc.
c/o Mr. Kenneth Van Rye
519 River Drive
Elmwood Park, New Jersey 07407

Re: Request For Information
Synkote Paint Removal Action
Elmwood Park, Bergen County, New Jersey

Dear Sir:

The United States Environmental Protection Agency ("EPA") is charged with responding to the release and/or threatened release of hazardous substances into the environment and with enforcement responsibilities pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. Section 9601 et seq., as amended by the Superfund Amendments and Reauthorization Act of 1986, Public Law 99-499. EPA also regulates the handling of hazardous waste under the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. Section 6901 et seq.

EPA has documented the release and/or threatened release of hazardous substances into the environment at the Synkote Paint Site (the "Site"). Pursuant to Section 104 of CERCLA, 42 U.S.C. Section 9604, and Section 3007 of RCRA, 42 U.S.C. Section 6927, EPA may request certain information from parties who handle or have handled hazardous waste, as that term is defined in Section 101(14) of CERCLA, 42 U.S.C. Section 9601(14), and Section 1004 of RCRA, 42 U.S.C. Section 6903 respectfully. Section 104(b) of CERCLA, 42 U.S.C. Section 9604(b), enables EPA to conduct such legal and other investigations as it may deem necessary or appropriate to plan and direct response actions, to recover the costs thereof, and to enforce the provisions of CERCLA.

Pursuant to these statutory provisions, EPA hereby requires that you provide EPA with the information listed in Attachment A of this letter. In preparing your response, please follow the enclosed instructions, (Attachment B).

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Your response to this Request for information must be postmarked or received within 30 (thirty) calendar days of your receipt of this letter, and should be mailed to:

Mr. Dwayne Harrington, On-Scene Coordinator
U.S. Environmental Protection Agency
Response and Prevention Branch MS-211
2890 Woodbridge Avenue
Edison, New Jersey 08837

and a copy to :

Susan H.S. Monks, Esq.
Office of Regional Counsel
U.S. Environmental Protection Agency
26 Federal Plaza, Room 309
New York, NY 10278

Failure to respond to this Request for Information within the time specified above may subject you to an enforcement action under Section 3008 of RCRA, 42 U.S.C Section 6928, or Section 104 of CERCLA, 42 U.S.C. Section 9604. Enforcement actions under both CERCLA and RCRA may include the assessment of penalties of up to \$25,000.00 per day for your failure to respond fully and accurately to the questionnaire.

Your notarized signature or the notarized signature of an officer or other responsible official of your company or business must appear on the enclosed "Certification of Answers to Request for Information," which must be attached to the response to this information request. Be advised that you are under a continuing obligation to supplement our response if information not known or not available to you as of the date of submission of your response should later become known or available. Moreover, should you find, at any time after the submission of your response, that any portion of the submitted information is false or misrepresents the truth, you are under an obligation to notify EPA thereof as soon as possible. If any part of this response is found to be knowingly untrue, you may be subject to criminal prosecution.

This Request for Information is not subject to the approval requirements of the Paperwork Reduction Act of 1980, Title 44 of the United States Code.

If desired, you may assert a business confidentiality claim covering all or part of the information herein requested. The claim can be asserted by placing on (or attaching to) the information, at the time it is submitted, a cover sheet, stamped or typed legend, or other suitable form of notice, employing language such as "trade secret", "proprietary", or "company confidential". Information covered by such a claim will be

disclosed by EPA only to the extent and by means of procedures set forth in Title 40, C.F.R. Part 2, Subpart B., except that

Section 104(n) of the Superfund Amendments and Reauthorization Act of 1986 places certain new limits on the withholding of information that is claimed confidential. If no such claim accompanies the information when it is received by EPA, it may be made available to the public by EPA without any further notice to you.

If you have any questions about this letter, you may call Dwayne Harrington, On Scene Coordinator, at (201)340-6899 or Susan H.S. Monks, Assistant Regional Counsel, at (212)264-4940. Please note that all communications from an attorney must be directed to Susan Monks. Thank you for your cooperation.

Sincerely yours,

Kathleen C. Callahan
Emergency & Remedial Response Division

Attachments

bcc: Dwayne Harrington, ERRD-RP ✓
Joseph McVeigh, ORC-NJSUP
Susan Monks, ORC-NJSUP